

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

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Council Clerk

City of Willoughby Hills

NANCY E. FELLOWS
JOE JARMUSZKIEWICZ
DANIEL KNECHT
TANYA TAYLOR
DRAPER
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ORDINANCE NO. 2020-56

AN ORDINANCE CONFIRMING THE APPOINTMENT OF AND FIXING THE COMPENSATION OF SGT MATTHEW NAEGELE FOR THE POSITION OF CHIEF OF THE POLICE DEPARTMENT EFFECTIVE JANUARY 1, 2021, AND REPEALING CONFLICTING LEGISLATION.

WHEREAS, Section 2.21 states that the Mayor shall appoint the heads of all Departments of the Municipality, including but not limited to the Department of Law, Department of Finance, Department of Public Safety, Police Department, Fire Department, Department of Public Service, the City Engineer, the Road Supervisor, Recreation Coordinator, City Prosecutor and Building Commissioner subject to confirmation of such appointment by an affirmative vote of four (4) or more members of Council...; and

WHEREAS, Section 2.27 of the Charter of the City of Willoughby Hills states “Though Council has the power to fix salaries as defined in Section 3.32, the Mayor shall have the duty and responsibility to recommend to Council the amount of pay for various positions and shall also have the responsibility to review existing pay scales; and

WHEREAS, Section 3.32 of the Charter of the City of Willoughby Hills requires that the Council fix by Ordinance the compensation of every officer and employee of the Municipality; and

WHEREAS, the Council of the City of Willoughby Hills has fixed by this Ordinance the compensation for the position of Chief of the Police Department to be made effective on January 1, 2021, and hereby provides to the Mayor, CEO and Head of the Administrative Branch of the Municipal Government, said compensation; and

WHEREAS, on June 20, 2020, Police Chief Christopher J. Collins retired as Police Chief from the City of Willoughby Hills; and

WHEREAS, on June 25, 2020, Council adopted Ordinance 2020-40 Amended, providing for the reappointment of Christopher J. Collins as Police Chief, commencing on July 1, 2020, for a period not to exceed ten (10) months; and

WHEREAS, the selection process for a Police Chief to replace Police Chief Collins took place, which involved job posting, application process and the interviews of the three (3) applicants on August 8, 2020; and

WHEREAS, following the interviews, Mayor G. Andrew Gardner recommended the appointment of SGT Matthew Naegele as the next Police Chief of the City of Willoughby Hills effective January 1, 2021, and has requested Council confirmation; and

WHEREAS, a Conditional Offer of Employment letter was provided to and accepted by SGT Matthew Naegele for the position of Police Chief of the City of Willoughby Hills effective January 1, 2021
(EXHIBIT 1). This letter contains all of the provisions of his employment to include rate of pay, overtime pay exemption, vacation, holidays, sick leave, longevity compensation, insurances, uniform allowance, additional compensation, vehicle, cell phone and holiday banking.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Pursuant to Charter Section 2.21, the City Council hereby confirms the appointment of SGT Matthew Naegele to serve as Police Chief for the City of Willoughby Hills, effective January 1, 2021.

SECTION 2. In accordance with Section 3.32 of the City Charter, Council has fixed the compensation for the position of **Chief of the Police Department** as follows:

<u>Job Title</u>	<u>Annual Salary</u>
Chief of the Police Department	\$ 100,000.00

In accordance with Section 157.03, the position of Chief of the Police Department is not eligible for overtime compensation.

SECTION 3. The Chief of the Police Department shall be a full-time municipal employee and serve under the direction of Mayor and Safety Director, and in accordance with the City's Charter. In addition to the established annual salary, such Chief shall receive those benefits afforded other full-time employees as provided in Chapter 157 – General Employment Provisions of the Codified Ordinances of the City of Willoughby Hills. The Chief of the Police Department shall be employed on an exclusive basis by the City and, while employed by the City, such Chief shall not work for or be employed by any other police service, municipal or otherwise, on a part-time or full-time basis (or any other basis). In addition, such Chief shall not accept any employment which is in conflict with his duties and obligations under the laws and Charter of Willoughby Hills. A firm or corporation within the limits of the City shall not gainfully employ the Chief of the Police Department. A complete listing of the terms and conditions of SGT Naegele's employment as Chief of Police is outlined in his Conditional Offer of Employment letter dated October 6, 2020, and attached hereto as **EXHIBIT 1**.

SECTION 4. For the purpose of calculating hours of paid vacation time, the Mayor has approved a net service credit of twenty-one (21) years which will entitle the Chief of the Police Department to two hundred forty (240) hours of vacation pay.

SECTION 5. Section 157.07 (g) provides that an employee of any public agency who transfers his employment from such public agency to the City shall be credited with the unused balance of his accumulated sick leave with the public agency, provided that the balance is evidenced to the satisfaction of the Mayor by an appropriate certificate or letter from an appropriate official of the public agency. The Mayor has approved 876.180 hours of sick time for the Chief of the Police Department.

SECTION 6. All Ordinances, or parts thereof in conflict with the provisions of this Ordinance be, and are hereby repealed as of the effective date of this Ordinance.

SECTION 7. All the actions of this Council concerning and relating to the passage of this legislation were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

PASSED: _____, 2020

Christopher Hallum
President of Council

Submitted to the Mayor for his approval

on this _____ day of _____, 2020

Approved by the Mayor

ATTEST:

Clerk of Council

G. Andrew Gardner
Mayor

DRAFT